

[Submitting Counsel on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: JUUL LABS, INC., MARKETING,
SALES PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

Case No. 19-md-02913-WHO

**STIPULATION AND [PROPOSED]
ORDER REGARDING ADDITIONAL
DISCOVERY IN THE KLAMATH
TRIBES MATTER AFTER THE
BELLWETHER TRIBAL CASE FACT
DISCOVERY CUT-OFF**

This Document Relates to:

Klamath Tribes v. Juul Labs, Inc., et al., Case
No. 3:20-cv-03987

Judge: Hon. William H. Orrick

The parties jointly stipulate and agree, subject to the Court's approval, as follows:

WHEREAS on January 24, 2022, the Court entered an order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 2794 (adopting the parties' proposed tribal case schedule and bellwether selection process).

WHEREAS on July 28, 2022, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 3363 (adopting the parties' proposed amended schedule).

WHEREAS on February 14, 2023, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 3794 (adopting the parties' proposed amended schedule).

WHEREAS on April 20, 2023, the Court entered a further order outlining pretrial deadlines in the Tribal bellwether litigation. *See* Dkt. No. 3933 (adopting the parties' proposed amended schedule).

1 WHEREAS on May 19, 2023, the Court entered a further order outlining pretrial deadlines in the
2 Tribal bellwether litigation. *See* Dkt. No. 4038 (adopting the parties' proposed amended schedule).

3 WHEREAS on July 20, 2023, the Court entered a further order outlining pretrial deadlines in the
4 Tribal bellwether litigation and setting September 18, 2023 as the close of case-specific fact discovery for
5 the Tribal bellwether cases. *See* Dkt. No. 4069 (adopting the parties' proposed amended schedule).

6 WHEREAS, the Altria Defendants noticed the deposition of Klamath Tribes pursuant to Federal
7 Rule of Civil Procedure 30(b)(6) and Klamath Tribes has identified Ms. Chanda Yates as its designee for
8 certain of the Topics identified in the Altria Defendants' deposition notice, specifically Topics related to
9 health care, public health, health education and outreach, cessation, and abatement ("Health Care
10 Topics").

11 WHEREAS due to medical reasons, Ms. Yates is not available for a deposition until after
12 September 18, 2023, the close of case-specific fact discovery.

13 WHEREAS the Parties previously served contention discovery requests and agreed that the
14 responses to those requests would be due six weeks after the close of discovery, October 30, 2023, to
15 allow for all other bellwether-specific fact discovery to be completed first.

16 WHEREAS the Parties agree that it would be beneficial to wait to serve responses to contention
17 discovery requests served by or to Klamath Tribes should until after the Klamath Tribes deposition is
18 completed.

19 WHEREAS the taking of Klamath Tribes' deposition after September 18, 2023 or the extension
20 of the deadline for responding to contention discovery requests will not impact or change any other dates
21 in the current amended Tribal schedule (Dkt. No. 4069).

22 Based on the foregoing, the Parties respectfully request that the Court grant an order:

- 23 1. Allowing the Altria Defendants to take Klamath Tribes' deposition pursuant to Federal
24 Rule of Civil Procedure 30(b)(6) concerning the Health Care Topics after the September
25 18, 2023 close of Tribal bellwether fact discovery; and
- 26 2. Setting the deadline for responses for contention discovery requests in the Klamath Tribes
27 matter to six weeks after the Klamath Tribes' deposition concludes.

Dated: August 30, 2023

Respectfully submitted,

By: /s/ Paul W. Rodney

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The Court hereby adopts the Parties' stipulation regarding additional discovery in the Klamath Tribes matter after the close of case-specific fact discovery for the Bellwether Tribal Cases:

1. The Altria Defendants may take Klamath Tribes' deposition pursuant to Federal Rule of Civil Procedure 30(b)(6) concerning topics related to health care, public health, health education and outreach, cessation, and abatement after the September 18, 2023 close of Tribal bellwether fact discovery; and
2. The deadline for responses for contention discovery requests in the Klamath Tribes matter to six weeks after the Klamath Tribes' deposition concludes.

Date: __, 2023

HONORABLE WILLIAM H. ORRICK
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record.

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